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| EXAMINER | |
|---|---|
| BRUCKART, BENJAMIN R | |
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| 2155 | |

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Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/941,582 | LIBMAN, MARINA | |
| | Examiner | Art Unit | |
| | Benjamin R. Bruckart | 2155 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *19 October 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-58* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-58* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## Detailed Action

**Status of Claims:**

Claims 1-58 are pending in this Office Action.

Claims 1, 9, 15, 21, 26, 32, 34, 39, 42, 47, 51, and 53 have been amended.

The 35 U.S.C. 112, second paragraph rejection is withdrawn in light of applicant's amendment.

### Response to Arguments

Applicant's arguments filed in the amendment filed 10/19/05 are moot in view of new grounds of rejection.

**Applicant's invention as claimed**:

**Claims 1, 4-21, 24-58 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 6,678,720 by Matsumoto et al in view of U.S. Publication No. 2002/0069069 by Kanevsky et al.**

Regarding claim 1,

The Matsumoto reference teaches:

a method for transferring data between a data source and a data sink (Matsumoto: col. 2, lines 33- line 44), comprising:

initiating a transfer of an instant message having a first data format compatible with a first real-time instant messaging system (Matsumoto: col. 2, lines 38-65);

transferring said instant message in response to an establishment of a communication channel (Matsumoto: col. 2, lines 38-65);

converting a received instant message to a second data format compatible with a second system (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21); and

storing said converted instant message in a previously selected location (Matsumoto: col. 5, lines 53-56; stored at address on the network).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches converting a received instant message to a previously selected second data format compatible with a second real-time instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claims 4-8 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 4, the method for transferring data according to claim 1, wherein said transferring further comprises:

activating a destination synchronization module in response to the establishment of said communication channel (Matsumoto: col. 5, lines 38-60; synchronization transfer between two entities); and

transferring said data in response to said activation of said destination synchronization module (Matsumoto: col. 5, lines 50-56).

Regarding claim 5, the method for transferring data according to claim 1, wherein said converting further comprises:

providing a plurality of selectable data formats that said first data format and said second data format are selected from (Matsumoto: col. 4, lines 49-67; col. 10, lines 12-21; Kanevsky: page 2, para 21).

Regarding claim 6, the method for transferring data according to claim 1, wherein said storing further comprises: providing a plurality of selectable storage locations for storage of said converted instant message (Matsumoto: col. 5, lines 50-60; address).

Regarding claim 7, the method for transferring data according to claim 1, further comprising:

establishing said communication channel over a wireless network (Kanevsky: page 2, para 20 and 23).

Regarding claim 8, the method for transferring data according to claim 1, further comprising: establishing said communication channel over a wired network (Matsumoto: col. 7, lines 44-54).

Regarding claim 9,

The Matsumoto reference teaches

a method for transferring chat history (Matsumoto: col. 4, lines 49-67), comprising:

initiating a transfer of said chat history in a first data format compatible with a first real-time chat system (Matsumoto: col. 2, lines 38-65);

transferring said chat history in response to an establishment of a communication channel in a second data format compatible with a second system (Matsumoto: col. 2, lines 38-65); and

determining a destination of said chat history (Matsumoto: col. 5, lines 50-60).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches transferring instant messages to second data format compatible with a second real-time instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claims 10-14 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 10, the method for transferring chat history according to claim 9, further comprising:

converting said chat history to a previously selected second data format in response to said destination being a current computing platform (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21; Kanevsky: Fig. 3; page 1, para 11); and

storing converted chat history in a location previously determined (Matsumoto: col. 5, lines 53-56; stored at address on the network).

Regarding claim 11, the method for transferring chat history according to claim 10, further comprising: transmitting a completion message in response to completion of said storing (Matsumoto: col. 5, lines 57-60).

Regarding claim 12, the method for transferring chat history according to claim 9, further comprising:

attempting to connect to a final destination device in response to said destination being said final destination device (Matsumoto: col. 5, lines 38-60).

Regarding claim 13, the method for transferring chat history according to claim 12, further comprising:

transferring said chat history in response to an establishment of a communication channel with said final destination device (Matsumoto: col. 5, lines 45-52);

converting received chat history to a previously selected said second data format (Matsumoto: col. 4, lines 49-68); and

storing said converted chat history in a previously selected location (Matsumoto: col. 5, lines 53-56).

Regarding claim 14, the method for transferring chat history according to claim 13, further comprising:

transmitting a completion message in response to completion of said storing (Matsumoto: col. 5, lines 57-60).

Regarding claim 15,

The Matusomot reference teaches

a method for synchronizing an instant message (Matsumoto: col. 2, lines 33- line 44), comprising:

initiating a transfer of said instant message in a first data format compatible with a first real-time instant messaging system (Matsumoto: col. 2, lines 38-65);

transferring said instant message in response to an establishment of a communication channel in a second data format compatible with a second system (Matsumoto: col. 5, lines 50-60); and

determining a destination of said instant message (Matsumoto: col. 5, lines 53-56; stored at address on the network).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches transferring said instant message to second data format compatible with a second real-time instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claims 16-20 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 16, the method for synchronizing an instant message according to claim 15, further comprising:

converting said instant message to a previously selected said second data format in response to said destination being a current computing platform (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21; Kanevsky: Fig. 3; page 1, para 11); and

storing said converted instant message in a location previously determined (Matsumoto: col. 5, lines 53-56; stored at address on the network).

Regarding claim 17, the method for synchronizing an instant message according to claim 16, further comprising:

transmitting a completion message in response to completion of said storing (Matsumoto: col. 5, lines 57-60).

Regarding claim 18, the method for synchronizing an instant message according to claim 15, further comprising:

attempting to connect to another computing platform in response to said destination being said another computing platform (Matsumoto: col. 4, lines 49-67; col. 5, lines 38-56).

Regarding claim 19, the method for synchronizing an instant message according to claim 18, further comprising:

transferring said instant message in response to an establishment of a communication channel with said destination (Matsumoto: col. 5, lines 50-60);

converting a received instant message to a previously selected said second data format (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21); and

storing said converted instant message data in a previously selected location (Matsumoto: col. 5, lines 53-56; stored at address on the network).

Regarding claim 20, the method for synchronizing an instant message according to claim 19, further comprising: transmitting a completion message in response to a completion of said storing (Matsumoto: col. 5, lines 57-60).

Regarding claim 21,

The Matsumoto reference teaches

an apparatus for synchronizing a chat history (Matsumoto: col. 2, lines 33- line 44), comprising:

an interface adapted to communicate with a destination device (Matsumoto: col. 5, lines 46-56; Figure 1; col. 7, lines 7-13);

a memory configured to store said chat history of a messaging program (Matsumoto: col. 6, lines 10-12); and

a processor configured to accept a synchronization request (Matsumoto: col. 5, lines 38-60; processor is inherent in computing devices as described in col. 7, lines 44-51), convert said chat history from a first data format compatible with a first real-time chat system into a second data format compatible with a second system and to transfer said chat history from said memory in response to said an establishment of a communication channel through said interface (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches converting an instant message to second data format compatible with a second real-time instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claims 24-25 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 24, the apparatus for synchronizing a chat history according to claim 21, wherein: said processor is further adapted to activate a synchronization module on said destination device in response to said establishment of said communication channel and to transfer to said chat history in response to said activation of said synchronization module (Matsumoto: col. 5, lines 38-60).

Regarding claim 25, the apparatus for synchronizing a chat history according to claim 24, wherein said synchronization module of said destination is adapted to receive said chat history (Matsumoto: col. 5, lines 50-56), convert said chat history to said second data format (Matsumoto: col. 4, lines 49-67) and to store converted chat history in a previously selected location (Matsumoto: col. 5, lines 53-56).

Regarding claim 26,

The Matsumoto reference teaches a source device for synchronizing an instant message (Matsumoto: col. 2, lines 33- line 44), comprising:

an interface adapted to communicate with a destination device (Matsumoto: col. 5, lines 46-56; Figure 1; col. 7, lines 7-13);

a memory configured to store said instant message of a messaging program (Matsumoto: col. 6, lines 10-12); and

a processor configured to accept a synchronization request (Matsumoto: col. 5, lines 38-60; processor is inherent in computing devices as described in col. 7, lines 44-51), convert said instant message from a first real-time data format compatible with a first chat system into a second data format compatible with a second system and to transfer said instant message from said memory in response to said an establishment of a communication channel through said interface (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches converting an instant message to second data format compatible with a second real-time instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claims 27-31 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 27, the source device for synchronizing an instant message according to claim 26, wherein said processor is adapted to activate a synchronization module on said destination device and to transfer said message history in response to an activation of said synchronization module (Matsumoto: col. 5, lines 38-60).

Regarding claim 28, the source device for synchronizing an instant message according to claim 27, wherein said synchronization module is adapted to determine a destination for said instant message (Matsumoto: col. 5, lines 50-60).

Regarding claim 29, the source device for synchronizing an instant message according to claim 28, wherein said synchronization module is further adapted to combine any chat data related to said history into a combined instant message (Matsumoto: col. 7, lines 7-21).

Regarding claim 30, the source device for synchronizing an instant message history according to claim 29, wherein said synchronization module is further adapted to transfer said combined instant message to a final destination device in response to said determining of said destination is said final destination device (Matsumoto: col. 5, lines 50-60).

Regarding claim 31, the source device for synchronizing an instant message according to claim 28, wherein said synchronization module is further adapted to transfer said instant message to a final destination device in response to said determining of said destination is said final destination device (Matsumoto: col. 4, lines 54-62; col. 5, lines 50-60).

Regarding claim 32,

The Matsumoto reference teaches a destination device for synchronizing an instant message (Matsumoto: col. 2, lines 33- line 44), comprising:

an interface adapted to communicate with a source device (Matsumoto: col. 5, lines 46-56; Figure 1; col. 7, lines 7-13);

a synchronization module configured to accept said instant message from a source device in response to an activation message from said source device (Matsumoto: col. 5, lines 50-60); and

a processor configured to establish a communication channel with said source device through said interface in response to a synchronization request at said source device (Matsumoto: col. 5, lines 38-60; processor is inherent in computing devices as described in col. 7, lines 44-

51), convert said instant message from a first real-time data format compatible with a first chat system into a second data format compatible with a second chat system and to activate said synchronization module to accept said message history from said source device in response to an activation message from said source device (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches converting an instant message to second data format compatible with a second real-time instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claims 33-38 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 33, the destination device according to claim 32, wherein said synchronization module is adapted to determine a destination of said instant message (Matsumoto: col. 5, lines 50-60).

Regarding claim 34, the destination device according to claim 33, wherein said synchronization module is further adapted to combine any chat data related to said instant message into a combined instant message (Matsumoto: col. 7, lines 7-21).

Regarding claim 35, the destination device according to claim 34, wherein said synchronization module is further adapted to transfer said combined instant message to a final destination device in response to said determining of said destination is said final destination device (Matsumoto: col. 5, lines 50-60; col. 4, lines 54-67).

Regarding claim 36, the destination device according to claim 33, wherein said synchronization module is further adapted to transfer said instant message to a final destination device in response to said determining of said destination is said final destination device (Matsumoto: col. 5, lines 50-60).

Regarding claim 37, the destination device according to claim 33, wherein said synchronization module is further configured to convert said instant message to said second data format in response to said determining of said destination is said destination device (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21).

Regarding claim 38, the destination device according to claim 37, wherein said synchronization module is further configured to store said converted instant message in a predetermined location on said destination device (Matsumoto: col. 5, lines 50-60).

Regarding claim 39,

The Matsumoto reference teaches a system for synchronizing a chat history (Matsumoto: col. 2, lines 33- line 44), comprising:

a communication network (Matsumoto: col. 2, lines 54-55);

a source device configured to transfer said chat history over said communication network (Matsumoto: col. 5, lines 38-52);

a destination device configured to received said chat history (Matsumoto: col. 5, lines 50-60);

a source synchronization module associated with said source device (Matsumoto: col. 5, lines 50-60); and

a destination synchronization module associated with said destination device to convert said chat history from a first data format compatible with a first real-time chat system into a second data format compatible with a second chat system and to transfer said chat history in response to an activation of said destination synchronization module by said source synchronization module (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches converting an instant message to second data format compatible with a second real-time instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claims 40-46 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 40, the system for synchronizing a chat history according to claim 39, wherein said source synchronization module is further configured to initiate transfer of said chat history in response to receiving a synchronization request at said source device (Matsumoto: col. 5, lines 38-60).

Regarding claim 41, the system for synchronizing a chat history according to claim 39, wherein said destination synchronization is configured to determine a destination of said chat history (Matsumoto: col. 5, lines 38-60).

Regarding claim 42, the system for synchronizing a chat history according to claim 41, wherein said destination synchronization module is further adapted to combine any chat data related to said chat history into a combined chat history (Matsumoto: col. 7, lines 7-21).

Regarding claim 43, the system for synchronizing a chat history according to claim 42, wherein said destination synchronization module is further adapted to transfer said combined chat history to a final destination device in response to said determining of said destination is said final destination device (Matsumoto: col. 4, lines 54-57; col. 5, lines 38-60).

Regarding claim 44, the destination device according to claim 42, wherein said synchronization module is further adapted to transfer said chat history to a final destination device in response to said determining of said destination is said final destination device (Matsumoto: col. 4, lines 54-57; col. 5, lines 38-60).

Regarding claim 45, the destination device according to claim 42, wherein said destination synchronization module is further configured to convert said chat history to a pre-selected data format in response to said determining of said destination is said destination device (Matsumoto: col. 4, lines 54-57; col. 5, lines 38-60).

Regarding claim 46, the destination device according to claim 45, wherein said destination synchronization module is further configured to store said converted chat history in a predetermined location on said destination device (Matsumoto: col. 4, lines 54-57; col. 5, lines 38-60).

Regarding claim 47,

The Matsumoto reference teaches

a computer readable storage medium on which is embedded one or more computer programs, said one or more computer programs implementing a method of transferring an instant message data (Matsumoto: col. 5, lines 48-60; col. 16, lines 29-34), said one or more computer programs comprising a set of instructions for:

initiating a transfer of said instant message data (Matsumoto: col. 2, lines 38-65);

transferring said instant message data in response to an establishment of a communication channel (Matsumoto: col. 5, lines 50-60);

converting said instant message data in a first instant message data format into a second instant message data format, said first instant message data format being compatible with a first real-time instant messaging system and said second instant message data format being compatible with a second instant messaging system (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21); and

determining a destination of said chat history (Matsumoto: col. 5, lines 38-60).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches converting an instant message to second data format compatible with a second instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claims 48-50 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 48, the computer readable storage medium according to claim 47, said one or more computer programs further comprising a set of instructions for:

converting said instant message data to a previously selected data format in response to said destination is a current computing platform (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21); and

storing said converted instant message data chat history in a location previously determined (Matsumoto: col. 5, lines 53-56; stored at address on the network).

Regarding claim 49, the computer readable storage medium according to claim 47, said one or more computer programs further comprising a set of instructions for: transmitting a completion message in response to a completion of said storing (Matsumoto: col. 5, lines 50-60).

Regarding claim 50, the computer readable storage medium according to claim 47, said one or more computer programs further comprising a set of instructions for: attempting to connect to said destination in response to said destination is not a current computing platform (Matsumoto: col. 5, lines 53-56; stored at address on the network).

Regarding claim 51,

The Matsumoto reference teaches:

a computer readable storage medium on which is embedded one or more computer programs, said one or more computer programs implementing a method of transferring a chat history (Matsumoto: col. 5, lines 48-60; col. 16, lines 29-34), said one or more computer programs comprising a set of instructions for:

transferring said chat history in response to an establishment of a communication channel with said destination (Matsumoto: col. 5, lines 50-60);

converting said chat history in a first data format into a previously selected second data format, said first data format being compatible with a first real-time chat system and said second

data format being compatible with a second chat system (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21); and

storing said converted chat history in a previously selected location (Matsumoto: col. 5, lines 50-60).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches converting an instant message to second data format compatible with a second real-time instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claim 52 is rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 52, the computer readable storage medium according to claim 51, said one or more computer programs further comprising a set of instructions for: transmitting a completion message in response to a completion of said storing (Matsumoto: col. 5, lines 50-60).

Regarding claim 53,

The Matsumoto reference teaches:

a computer readable storage medium on which is embedded one or more computer programs, said one or more computer programs implementing a method of synchronizing a chat history (Matsumoto: col. 5, lines 48-60; col. 16, lines 29-34), said one or more computer programs comprising a set of instructions for:

initiating a transfer of said chat history in a first data format compatible with a first real-time chat system (Matsumoto: col. 5, lines 48-50);

transferring said chat history in response to an establishment of a communication channel in a second data format compatible with a second chat system (Matsumoto: col. 4, lines 49-67); and

determining a destination of said chat history (Matsumoto: col. 5, lines 50-60).

The Matsumoto reference does not explicitly state the second system is a real time instant messaging system.

The Kanevsky reference teaches transferring an instant message to second data format compatible with a second real-time instant messaging system (Kanevsky: page 1, para 11; Fig 3); and

The Kanevsky reference further teaches the invention is used to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for transferring data between a data source and a data sink as taught by Matsumoto while employing converting to a second real time chat system as taught by Kanevsky in order to connect disparate chat service systems (Kanevsky: col. 1, lines 11; last line).

Claims 54-58 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al and Kanevsky et al.

Regarding claim 54, the computer readable storage medium according to claim 53, said one or more computer programs further comprising a set of instructions for:

converting said chat history to a previously selected data format in response to said destination is a current computing platform (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21); and

storing said converted chat history in a location previously determined (Matsumoto: col. 5, lines 50-60).

Regarding claim 55, the computer readable storage medium according to claim 54, said one or more computer programs further comprising a set of instructions for: transmitting a completion message in response to a completion of said storing (Matsumoto: col. 5, lines 50-60).

Regarding claim 56, the computer readable storage medium according to claim 54, said one or more computer programs further comprising a set of instructions for: attempting to connect to said destination in response to said destination is not a current computing platform (Matsumoto: col. 5, lines 53-56; stored at address on the network).

Regarding claim 57, the computer readable storage medium according to claim 56, said one or more computer programs further comprising a set of instructions for:

transferring said chat history in response to an establishment of a communication channel with said destination (Matsumoto: col. 5, lines 38-60);

converting said chat history to a previously selected data format (Matsumoto: col. 3, lines 45-52; col. 4, lines 49-67; col. 10, lines 13-21); and

storing said converted message chat data in a previously selected location (Matsumoto: col. 5, lines 50-60).

Regarding claim 58, the computer readable storage medium according to claim 57, said one or more computer programs further comprising a set of instructions for: transmitting a completion message in response to a completion of said storing (Matsumoto: col. 5, lines 50-60).

**Claims 2-3, 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent No. 6,678,720 by Matsumoto et al in view of U.S. Publication No. 2002/0069069 by Kanevsky et al in further view of U.S. Publication No. 2001/0044820 by Scott.**

Regarding claim 2,

The Matsumoto and Kanevsky references teach the method for transferring data according to claim 1.

The Matsumoto and Kanevsky references do not explicitly state indicating an unavailability in response to a non-establishment of said communication channel.

The Scott reference teaches indicating an unavailability in response to a non-establishment of said communication channel (Scott: page 4, para 40-41).

The Scott reference further teaches the invention notify the contact person and provide a reason (Scott: page 4, para 40-41).

Therefore it would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of transferring data between a source and destination as taught by Matsumoto and Kanevsky while indicating unavailability as taught by Scott in order to notify specified persons with a reason (Scott: page 4, para 41).

Claims 3, 22-23 are rejected under the same rationale given above. In the rejections set fourth, the examiner will address the additional limitations and point to the relevant teachings of Matsumoto et al, Kanevsky et al and Scott.

Regarding claim 3, the method for transferring data according to claim 2, further comprising:

providing a second attempt of establishing said communication channel in response to said unavailability (Scott: page 4, para 41; repeated attempts).

Regarding claim 22, the apparatus for synchronizing a chat history according to claim 21, wherein:

said processor is further configured to report unavailability of said destination device in response to an non-establishment of said communication channel (Scott: page 4, para 40-41).

Regarding claim 23, the apparatus for synchronizing a chat history according to claim 21, wherein:

said processor is further configured to provide a second attempt of establishing said communication channel in response said unavailability of destination device (Scott: page 4, para 41).

## REMARKS

Applicant has amended each of the independent claims to include language specifying the second data format for a second real time chat system.

**PRIOR ART**

U.S. Patent Publication No. 2001/0029455 teaches translating and converting languages between chat systems

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 8:00-5:30PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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